

Federal LSOG forests in northern California, Oregon, and Washington.

The Final Supplemental Environmental Impact Statement on FEMAT was completed in February 1994, and the Record of Decision was signed on April 13, 1994. This process culminated in the formal administrative adoption of Alternative 9 as the President's Forest Plan. This Plan was viewed as providing a firm foundation for the conservation needs of the spotted owl, especially in light of the net addition of approximately 600,000 acres of Federal forest lands to protected reserve status between its original formulation in the FEMAT Report and the Record of Decision.

Despite enhanced owl protection under the final Forest Plan, however, the Service believed that some supplemental support from non-Federal forest lands remained necessary and advisable for owl conservation in certain parts of the range of the owl.

The Service published a Notice of Intent (NOI) in the Federal Register (58 FR, Page 69132) on December 29, 1993, to issue a 4(d) rule on the spotted owl, and sent out a mailer advising the public of its intention to prepare an Environmental Impact Statement (EIS) on the proposal. In response, the Service received and evaluated more than 8,500 public comments. Taking these comments into consideration, and based upon additional analyses, the Service subsequently proposed a special rule that would reduce the prohibition against incidental take of spotted owls in the course of timber harvest and related activities on specified non-Federal forest lands in Washington and California.

The Service did not include Oregon within the geographic scope of the proposed special rule at the request of the Oregon Congressional delegation. The Service was asked to wait for state officials and private landowners to develop an alternative owl conservation strategy for the state. By excluding Oregon altogether from the proposed special rule, the Service retained for Oregon the original level of protection against take for the owl established when the species was listed on June 26, 1990.

Although the release of this Draft EAA represents another important milestone in the development of a 4(d) rule for the northern spotted owl, the Service wants to reiterate that the ability to finalize such a rule, providing relief to non-Federal landowners, is directly dependent upon the continued strength

of the President's Forest Plan, as well as the continued viability of the assumptions underlying that Plan. Should litigation or legislative enactments ultimately nullify key elements of the Forest Plan, the Service would have to reassess its ability to finalize any 4(d) rule.

The Draft EAA is being mailed to all persons who previously requested a copy. A 35 page Executive Summary also is available by calling (503) 326-6218. The document, including all maps, tables, charts, and graphs, is available on the Internet's World Wide Web at <http://www.rl.fws.gov/4deaa/welcome.html>.

Dated: February 15, 1996.

Michael J. Spear,

Regional Director, U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 642

[I.D. 021496A]

Caribbean Fishery Management Council; Public Hearing

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Public hearing; request for comments.

SUMMARY: The Caribbean Fishery Management Council (Council) will convene one public hearing on alternatives for closed areas to protect spawning aggregations of red hind in an area off Mayaguez, PR.

DATES: Written comments will be accepted on or before March 15, 1996. The public hearing will be on March 7, 1996, from 7 p.m. to 10 p.m.

ADDRESSES: Written comments should be sent to and copies of the document with the alternatives to be considered are available from Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 268 Muñoz Rivera Ave., Suite 1108, San Juan, PR 00918. The hearing will be held at the Joyuda Plaza Hotel, Cabo Rojo, PR.

FOR FURTHER INFORMATION CONTACT: Miguel A. Rolón, (809) 766-5926; Fax (809) 766 6239.

SUPPLEMENTARY INFORMATION:

Background

The Council will be holding a public hearing on alternatives for closed areas to protect the spawning aggregations of the red hind grouper during the period December 1 through February 28 of each consecutive year. The current regulation that implements the Fishery Management Plan for the Shallow Water Reefish Fishery of Puerto Rico and the U.S. Virgin Islands (FMP) establishes a closed area off Mayaguez, PR to protect the spawning grounds of this species of grouper. Recent information obtained by the Council indicates that the fish aggregations are taking place in other sites outside the present closed area. The Council will be considering alternatives to the closed area that could be more effective in protecting the red hind spawning aggregations while causing less burden to fishers.

The following alternatives will be considered: (1) No action. Keep the same area of seasonal closure (Amendment 2 of the FMP, 1993), (2) close an area of 1 1/2 miles (2.41 kilometers (km)) radius around "Buoy 8." The area will be closed to all fishing from December 1 to February 28 of each year, (3) close an area of 1 1/2 miles (2.41 km) radius around "Buoy 6." The area will be closed to all fishing from December 1 to February 28 of each year; (4) close an area of 1 1/2 miles (2.41 km) radius centered around a buoy to be deployed in the area known as "El Bajo de Sico" to all fishing between December 1 and February 28 of each year, and (5) close all three areas mentioned above to all fishing between December 1 and February 28 of each year.

Special Accommodations

These meetings are physically accessible to people with disabilities. For more information or requests for sign language interpretation and/or other auxiliary aids, please contact Miguel A. Rolón at (809) 766-5926 (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: February 15, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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